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Q. Which of those garages have you worked at the most?

A. Bienvenido Parking. I am always at that garage. I hardly ever move from there. Only when I go to cover someone else on my off day.

Q. Did you ever work for a garage named Nicholas Parking?

A. Nicholas -- which one is that? I also worked at 14th Street. But I don't know the name. I don't remember the name.

Q. When were you initially hired by the defendant?

A. August 10, 2003.

Q. Did you work for any of the defendant garages prior to August 10, 2003?

A. I don't remember. But that's the date that I have most in mind.

Q. By which garage were you initially hired?

A. 169 and Jerome Avenue. Next door to the Bienvenido Parking which I work at now. But I don't remember the name. That's where I started.

Q. How did you learn of the position?

A. I was looking for work. I passed by

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that garage. There was a sign that said they needed workers. That's it.

Q. Did you know anyone that worked at the garage prior to being hired?

A. No.

Q. For how long did you work at that garage?

A. More or less one year.

Q. Did you work at any other garages during that one year?

A. Yes, covering. Different parking lots.

Q. What were your hours when you first started at the garage at 169 and Jerome?

A. Seven to seven. Twelve hours.

Q. Seven a.m. to seven p.m., or seven p.m. or seven a.m.?

A. Seven p.m. to seven a.m. Always at night.

Q. How many days a week did you work at that garage?

A. Six days a week.

Q. Did you work 12 hours per day on each of those days of the week?

A. 12 hours.

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Q. For how long did you work 12 hours a day, six days a week? For what period of time?

A. A long time. The whole time I worked at that garage, I worked 12 hours. Except when I worked my day off, they sent me to another parking garage to cover.

Q. Was there ever a time when you worked more than 12 hours a day, six days a week, other than the times that you were covering elsewhere?

A. More than six days a week?

Q. Did you ever regularly work more than six days a week, 12 hours a day, for the defendant garages?

A. Regularly, no. But they always sent me to different garages to cover.

Q. How often were you sent to another garage to cover?

A. Many times.

Q. How many times?

A. Maybe 30 to 40 times, more or less.

Q. Since August 2003?

A. Every year about. Just talking about that one year?

Q. Since August 2003. Since August 2003

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to present, how frequently did you work -- how frequently did you cover other shifts?

A. Frequently when I was off, the supervisor would call me and ask if I could cover for someone else.

Q. Did you cover more than once a week?

A. No.

Q. Did you cover every week?

A. No.

Q. More than once a month?

A. It could be.

Q. Were you paid for the time that you covered other shifts?

A. I always took home the same amount of money whether I worked six days or seven. At the time that I complained and told Raj about it, they gave me a little extra.

Q. When did you complain to Raj?

A. Many times.

Q. When was the last time you complained to him?

A. I don't remember.

Q. Have you complained to him about not being paid for other shifts in the last year?

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A. In this year, yes. I've worked up to seven days at the garage that I'm working at. When they need someone to park, the guys go to Santo Domingo, or something like that, he has asked me if I want to work seven days. I need the money, so I've done it.

**Q. Are you referring to the Bienvenido Garage?**

A. Yes.

**Q. Are you paid for those hours when you work seven days a week?**

MR. FAILLACE: Objection. You asked and he responded already.

**Q. You can answer the question.**

MR. FAILLACE: You can answer the question again.

A. Yes. He gives me something once in a while.

**Q. Do you currently receive a paycheck from your employer?**

A. Of course I do.

**Q. Does your paycheck indicate the number of hours that you work?**

A. Yes.

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**Q. And does it accurately indicate the number of hours that you work?**

A. Yes.

**Q. And are you paid for all those hours that are indicated on that paycheck?**

A. No. For the hours -- for the amount of hours that I work, they do not pay them all. For example, when I work seven days, he will give me a little something extra.

**Q. What do you mean he will give you a little something extra?**

A. 15, 20, 30, even \$40.

**Q. In cash or in check?**

A. Cash.

**Q. What is your current hourly rate of pay?**

A. 7.15 an hour. Which is the minimum.

**Q. And how many hours a week do you work?**

A. Now?

**Q. Yes.**

A. 48 hours.

**Q. And are you paid \$7.15 for each of those 48 hours each week?**

A. They pay me 40 hours at 7.15.

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**Q. Are you paid for the other eight hours?**

A. Yes.

**Q. How much are you paid for the other eight hours?**

A. 10-something.

**Q. So you're paid time and a half for each of your hours above 40 hours a week?**

A. Yes. Less the seventh day, when I work seven days. That's what they pay me for six days that I work.

**Q. So are you paid for all the hours that you work on those six days?**

A. After the 10 hours that I'm supposed to get one hour, they don't pay that either. Never pay that.

**Q. But for those hours you are paid?**

A. That hour is supposed to be given to me by law, yes.

**Q. Is your current shift 10:30 p.m. to 6:30 a.m.?**

A. 6:30 a.m., yes.

**Q. Six days a week?**

A. Six days a week, yes.

**Q. How often do you work a seventh day in**

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**a week?**

A. Many times.

**Q. How many times did you work seven days in a week this month?**

A. This month that we are in now?

**Q. Yes.**

A. This month, I have not worked seven days.

**Q. Did you work seven days in any week in October 2007?**

A. I worked seven days, yes. About two weeks -- for about two weeks. I don't remember when it was in October. Maybe it was one or two months ago.

**Q. How many times in the last year do you think you have worked seven days in a week?**

A. I don't remember right now.

**Q. Was it more than five?**

A. Seven days, of course. I covered for him for two weeks. If I wanted to work seven days, they told me to work seven days.

**Q. How many times did you work seven days in the last year approximately?**

A. Two weeks. In this year?

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Q. Yes.

A. Two weeks. Because in this year I haven't been sent to cover anyone else. Well, yes, once they sent me to 94th Street to cover.

Q. So three times you have worked a seven-day week in the past year?

A. I went to cover at 94th Street three times.

Q. In 2006, how many times did you work a seven-day week?

A. Many times. I don't remember the amount of times.

Q. More than three times?

A. Yes.

Q. Were those hours indicated on your paycheck?

A. No.

Q. Were you paid for those hours?

A. He would give me a little something whenever I asked him about it. And sometimes I've worked the seven days, and he never -- I told him about it. He never paid me that seventh day.

Q. Who is he?

A. Raj, the supervisor.

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you worked for the defendant garages?

A. I had a temporary job for two months. That's it.

Q. When did you have a temporary job?

A. January to March of this year.

Q. Where did you work?

A. Here in Manhattan, CVS. Building maintenance.

Q. What were your hours at CVS?

A. Eight a.m. to five p.m.

Q. How many days a week did you work eight a.m. to five p.m.?

A. Five days. Sometimes Saturday and Sunday also.

Q. What was your hourly wage at CVS?

A. 15.60 an hour.

Q. Did you ever work more than 40 hours in a week at CVS?

A. Of course.

Q. I'm sorry. Did you say your hourly rate was 15.60?

A. Yes. That's what I was earning at CVS.

Q. How many other parking attendants work with you on your 10:30 p.m. to 6:30 a.m. shift at

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Q. Did you punch your time card when you worked the seventh day?

A. No. Because the time card was at the garage where I was assigned to. I would never take it with me.

Q. Did you write your time down in any sort of time sheet when you worked that seventh day?

A. No, never.

Q. Did you tell anyone the number of hours that you worked on that seventh day?

A. Raj the supervisor.

Q. When did you tell Raj the number of hours that you worked on that seventh day?

A. When I worked it.

Q. Who was your supervisor when you first started work in August 2003?

A. Raj.

Q. Have you had any other supervisor since you started working in August 2003?

A. No.

Q. Do you currently have any other jobs?

A. No.

Q. Have you ever had any other job while

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Bienvenido?

A. I work alone that shift. I am alone.

Q. Do you always punch a time card at the beginning of your shift?

A. Of course I do.

Q. Do you punch a time card at the end of your shift?

A. Except the times when the time cards have finished at the garage. He has taken all the time cards. And this has lasted sometimes two or three days before he replaces it with new time cards.

Q. Do you write your time down when the time cards are not available?

A. I won't punch the clock because there's no cards.

Q. How often are there no time cards to punch?

A. It has happened many times. I couldn't tell you how many times. Been many times.

Q. When was the last time it happened?

A. I don't remember right now, but it has happened many times.

Q. Has it happened in the last month?

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